

SHEBOYGAN COUNTY RESOLUTION NO. 21 (2019/20)

Re: **Authorizing Indefeasible Right of Use Agreement for Use of "Ring of Fiber" Infrastructure**

WHEREAS, Sheboygan County, the City of Sheboygan, and the Sheboygan Area School District, through an Intergovernmental Cooperative Agreement and First Restated Intergovernmental Cooperative Agreement (collectively "the Intergovernmental Agreement"), built, operate, and maintain a coordinated regional communications infrastructure in the form of a fiber optic cable backbone ("Ring of Fiber") in order to increase efficiencies and enhance services, and

WHEREAS, pursuant to the Intergovernmental Agreement, the parties designated individual fiber strands to the respective parties and authorized third-parties to use Ring of Fiber strands subject to the terms of the Intergovernmental Agreement, and

WHEREAS, Brown County C-LEC, LLC has constructed its own fiber optic cable network in and around Sheboygan County, and

WHEREAS, Brown County C-LEC, LLC's network would allow connection of the Sheboygan County Memorial Airport, Rocky Knoll, and the Transportation Complex to a fiber optic network, and

WHEREAS, Sheboygan County wishes to enter into a reciprocal Indefeasible Right of Use Agreement, a copy of which is on file with the County Clerk, with Brown County C-LEC, LLC whereby Sheboygan County would have use of the Brown County C-LEC, LLC fiber optic network in exchange for its use of Sheboygan County's Ring of Fiber strands, and

WHEREAS, the Finance Committee believes it is in the best interests of Sheboygan County to enter into such an agreement with Brown County C-LEC, LLC;

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized and directed to sign on behalf of Sheboygan County the proposed Indefeasible Right of Use Agreement with Brown County C-LEC, LLC and to take such action as may be necessary to implement the terms of this Agreement.

Respectfully submitted this 21st day of January, 2020.

FINANCE COMMITTEE

William C. Goehring
William C. Goehring, Chairperson

Roger Te Stroete
Roger Te Stroete, Vice-Chairperson

Vernon Koch
Vernon Koch, Secretary

Keith Abler
Keith Abler

Gerald Jorgensen
Gerald Jorgensen

Opposed to Introduction:

Adopted 02/18/2020
